



Order Filed on June 14, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption in Compliance with D.N.J. LBR 9004-1(b)
Albert Russo CN 4853 Trenton, New Jersey 08650 (609) 587-6888 Standing Chapter 13 Trustee
In Re: SCOTT D. STEARNS NAOKO STEARNS Debtors

Case No: 20-14541 MBK

Chapter 13

Hearing Date: June 12, 2024 @ 9:00 AM

Chief Judge Michael B. Kaplan

ORDER APPROVING SETTLEMENT AND DISBURSEMENT

The relief set forth on the following page, numbered two (2) through three(3) is hereby ORDERED

DATED: June 14, 2024


Honorable Michael B. Kaplan
United States Bankruptcy Judge

THIS MATTER having been opened to the Court upon Albert Russo, Standing Chapter 13 Trustee's Notice of Motion for Approval of Settlement, in resolution of a provision of Confirmation requiring the sale of debtor's property located in the Country of Belize; and, it appearing that this Court has jurisdiction over the parties and over the subject matter of this Motion; and, the Court having considered the pleadings in this matter and the argument of counsel and good cause appearing for the entry of the within Order:

WHEREAS the Debtors own a legal interest in two (2) pieces of undeveloped land in Belize: (1) Sanctuary Belize - Sapodilla Ridge Lot SR229 ("SR229"); and (2) through an LLC named S.D. Stearns Holdings, LLC, Sanctuary Belize, Sapodilla Ridge Lot E35 ("E35") (collectively "Belize Properties").

AND WHEREAS, on April 7, 2021, the Court entered an Amended Order Confirming Chapter 13 Plan (the "Amended Order Confirming Plan") (ECF 61) which provided, in part that the "Trustee and the debtors reserve on the determination of the equity on the Belize properties. The debtors are to provide proof of equity on these properties and sell by 12/31/2021, with the Trustee to receive non-exempt proceeds."

AND WHEREAS, on November 22, 2023, the Debtors filed a Notice of Proposed Settlement of Controversy relating to "redress payments" relating to the Belize Properties and a Federal Receivership on the Belize Properties. ECF 75.

AND WHEREAS, on December 21, 2023, the Clerk of the Court filed a Certification of No Objection to the Notice of Settlement. ECF 77.

IT IS HEREBY ORDERED that the settlement is fair and in the best interests of the Debtor(s) and the creditors of the bankruptcy estate, and thus, is approved and authorized; and

IT IS FURTHER ORDERED that:

- a. The Debtors are required to continue to make trustee payment under the Confirmation Order, specifically \$3,595.00 beginning 5/1/24 for 11 months.
- b. The Debtors will remit a lump sum payment of \$10,000 within 60 days of the date of this Order.
- c. The Debtors will remit an additional total amount of \$20,000 on or before February 1, 2025 (month 59 of the Plan).
- d. Debtors shall not be required to sell the Belize property in order to complete their confirmed plan. However, if the Debtors sell any or all of the Belize property, on or before completion date of payments under the plan, then the Trustee reserves the right to require the non-exempt proceeds of such sale as an addition to the payments due under the plan.

In re:
Scott D Stearns
Naoko Stearns
Debtors

Case No. 20-14541-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jun 14, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 16, 2024:

Recip ID	Recipient Name and Address
db/jdb	#+ Scott D Stearns, Naoko Stearns, 408 NE 6th Street, Unit 413, Fort Lauderdale, FL 33304-6408

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 16, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 14, 2024 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor SWBC MORTGAGE CORPORATION dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor SWBC Mortgage Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Frank J Martone	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bky@martonelaw.com

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User: admin

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Total Noticed: 1

Justin M Gillman

on behalf of Debtor Scott D Stearns ecf@gbclawgroup.com
GillmanBrutonCaponeLLC@jubileebk.net,e4eaf5f23@maildrop.clio.com;jgillman@ecf.courtdrive.com

Justin M Gillman

on behalf of Joint Debtor Naoko Stearns ecf@gbclawgroup.com
GillmanBrutonCaponeLLC@jubileebk.net,e4eaf5f23@maildrop.clio.com;jgillman@ecf.courtdrive.com

Melissa N. Licker

on behalf of Creditor SWBC Mortgage Corporation mlicker@hillwallack.com HWBKnewyork@ecf.courtdrive.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9